

**REMARKS/ARGUMENTS**

**RESPONSE to Non-Statutory Double Patenting Rejection**

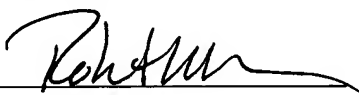
Claims 55-80 are rejected based the judicially created nonstatutory double patenting doctrine as being unpatentable over U.S. Patent 6,787,608. In response to the rejection, the Applicants file herewith a terminal disclaimer disclaiming any portion of the term of a patent granted on this application that is in excess of the term of the '608 patent.

**CONCLUSION**

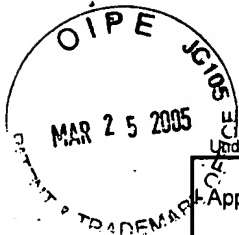
Applicants have addressed all of the Examiner's rejections. Applicants believe that the claims are now in condition for allowance and respectfully request that the Examiner grant such an action. If any questions or issues remain in the resolution of which the Examiner feels will be advanced by a conference with the Applicants' attorney, the Examiner is invited to contact the attorney at the number noted below. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-3420, reference 43225.44575CUSC(ABDON).

Dated: March 21, 2005

Respectfully submitted,

By 

Robert L. Abdon, Ph.D.  
Registration No.: 50,996  
Baker & McKenzie LLP  
Pennzoil Place  
710 Louisiana, Suite 3400  
Houston, TX 77002  
(713) 427-5017  
(713) 427-5099



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/817,030

Attorney Docket No.: 43225-44575CUSC

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on March 22, 2005  
Date

Signature

Deena Farris

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 427-5000  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Supplemental Amendment in Response to Non-Final Office Action (2 pages)  
Terminal Disclaimer (1 page)  
Amendment Transmittal (1 page)  
Transmittal (1 page)  
Certificate of Mailing (1 page)  
Return Receipt Postcard